

JAMES W. BAILEY, #200 587, )  
 )  
 Plaintiff, )  
 )  
 v. ) CIVIL ACTION NO. 1:18-CV-543-ECM  
 ) [WO]  
 ALLEN HENDRICKSON, *et al.*, )  
 )  
 Defendants. )

Before the court is the Recommendation of the Magistrate Judge entered September 24, 2018. (Doc. # 5). There being no timely objections filed to the Recommendation, and based on an independent review of the record, the Recommendation of the Magistrate Judge (doc. # 5) is ADOPTED and it is ORDERED as follows:

2. Plaintiff's § 1983 claims in ¶¶ II(C), II(E), II(F), & II(G)(i) and (iii), and II(H) are DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii);

4. Plaintiff's § 1983 complaint, to the extent it challenges to the constitutionality of the convictions and/or sentences on which he is incarcerated (*see* ¶ II(I)), are DISMISSED

without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims are not properly before the court at this time; and

5. Plaintiff's supplemental state law claims (*see* ¶ II(J)) are DISMISSED without prejudice.

6. This case is DISMISSED prior to service of process under 28 U.S.C. § 1915(e)(2)(B)(i–iii).

A Final Judgment will be entered separately.

DONE this 7th day of November, 2018.

/s/ Emily C. Marks  
EMILY C. MARKS  
UNITED STATES DISTRICT JUDGE